

STATE OF OREGON

COUNTY OF HARNEY

PERMIT TO APPROPRIATE THE PUBLIC WATERS

THIS SUPERSEDING PERMIT IS HEREBY ISSUED TO

CARPENTER RANCH, LLC
JIM HALL
1930 LEWIS STREET SE
SALEM, OREGON 97302

This superseding permit is issued to describe an amendment for additional points of diversion under Permit Amendment Application T-8477, and approved by Special Order Volume 54, Page 810, entered on October 26, 2000, to describe an extension of time for complete application of water approved December 26, 2014, and an assignment of a portion of Permit G-13767 approved February 1, 2016. This permit, together with Permit G-17543, supersedes Permit G-13767.

The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-14923

SOURCE OF WATER: 13 WELLS IN MALHEUR LAKE BASIN

PURPOSE OR USE: IRRIGATION OF 242.4 ACRES AND AGRICULTURAL USE (DAIRY OPERATIONS)

MAXIMUM RATE: 3.30 CUBIC FEET PER SECOND, BEING 3.03 CFS FOR IRRIGATION AND 0.27 CFS FOR AGRICULTURAL USE (DAIRY OPERATIONS)

PERIOD OF USE: MARCH 1 THROUGH OCTOBER 31

DATE OF PRIORITY: FEBRUARY 8, 1999

POINT OF DIVERSION LOCATIONS:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
25 S	31 E	WM	27	NW SW	WELL 5: 1360 FEET NORTH AND 1260 FEET EAST FROM SW CORNER, SECTION 27
25 S	31 E	WM	28	NE SE	WELL 3: 1380 FEET NORTH AND 150 FEET WEST FROM SW CORNER, SECTION 27
25 S	31 E	WM	28	NE SE	WELL 4: 1375 FEET NORTH AND 30 FEET WEST FROM SW CORNER, SECTION 27
25 S	31 E	WM	28	NW SE	WELL 1: 1340 FEET NORTH AND 1620 FEET WEST FROM SW CORNER, SECTION 27

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
25 S	31 E	WM	28	NW SE	WELL 2: 1340 FEET NORTH AND 1340 FEET WEST FROM SW CORNER, SECTION 27
25 S	31 E	WM	29	SE SE	WELL 9: 960 FEET NORTH AND 1270 FEET WEST FROM NE CORNER, SECTION 32
25 S	31 E	WM	32	NE NE	WELL 6: 40 FEET SOUTH AND 1055 FEET WEST FROM NE CORNER, SECTION 32
25 S	31 E	WM	32	NE NE	WELL 7: 40 FEET SOUTH AND 1200 FEET WEST FROM NE CORNER, SECTION 32
25 S	31 E	WM	32	NE NE	WELL 14: 500 FEET SOUTH AND 20 FEET WEST FROM NE CORNER, SECTION 32
25 S	31 E	WM	32	SW NE	WELL 13: 2630 FEET SOUTH AND 1340 FEET WEST FROM NE CORNER, SECTION 32
25 S	31 E	WM	33	NE NW	WELL 20: 1320 FEET SOUTH AND 2640 FEET EAST FROM NW CORNER, SECTION 33
25 S	31 E	WM	33	NW NW	WELL 18: 770 FEET SOUTH AND 1320 FEET EAST FROM NW CORNER, SECTION 33
25 S	31 E	WM	34	SW NW	WELL 19: 1895 FEET SOUTH AND 860 FEET EAST FROM NW CORNER, SECTION 34

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

THE PLACE OF USE IS LOCATED AS FOLLOWS:

AGRICULTURE USES				
Twp	Rng	Mer	Sec	Q-Q
25 S	31 E	WM	28	NW SW
25 S	31 E	WM	29	NE SE
25 S	31 E	WM	29	SE SE

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
25 S	31 E	WM	29	SE SW	33.0
25 S	31 E	WM	29	SW SE	8.0
25 S	31 E	WM	32	NE NE	37.0
25 S	31 E	WM	32	NW NE	38.8
25 S	31 E	WM	32	SW NE	31.4
25 S	31 E	WM	32	SE NE	31.4
25 S	31 E	WM	32	NE SE	31.4
25 S	31 E	WM	32	NW SE	31.4
TOTAL					242.4

Measurement, recording and reporting conditions:

- A. Before water use may begin under this permit, the permittee shall install a meter or other suitable measuring device as approved by the Director. The permittee shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the permittee to report general water use information, including the place and nature of use of water under the permit.
- B. The permittee shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this permit, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

STANDARD CONDITIONS

The wells shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine water level elevation in the well at all times.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

Prior to receiving a certificate of water right, the permit holder shall submit the results of a pump test meeting the department's standards, to the Water Resources Department. The Director may require water level or pump test results every ten years thereafter.

Failure to comply with any of the provisions of this permit may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the permit.

This permit is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water shall be limited when it interferes with any prior surface or ground water rights.

The Director finds that the proposed use(s) of water described by this permit, as conditioned, will not impair or be detrimental to the public interest.

The original permit was issued December 2, 1999. Actual construction work was to begin on or before September 30, 2000. By Extension of Time Final Order dated December 26, 2014, the deadline for completing construction and for complete application of water to use was extended to **October 30, 2019**. Within one year after complete application of water to the proposed use, the permittee shall submit a claim of beneficial use, which includes a map and report, prepared by a Certified Water Rights Examiner (CWRE).

Issued February 1, 2016.



Dwight French, Water Right Services Administrator, for
THOMAS M. BYLER, DIRECTOR
WATER RESOURCES DEPARTMENT